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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON,  
FKA THE BANK OF NEW YORK  
SUCCESSOR TRUSTEE TO  
JPMORGAN CHASE BANK, N.A. AS  
TRUSTEE FOR THE HOLDERS OF  
BEAR STEARNS ALT-A TRUST 2006-1,  
MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2006-1,

Plaintiff,

vs.

CARMEL CANYON HOMEOWNERS  
ASSOCIATION; 5852 PONDEROSA  
VERDE TRUST; AND G&P  
ENTERPRISES NEVADA LLC dba  
ALLIED TRUSTEE SERVICES,

Defendants.

CASE NO.: 2:16-cv-01099-APG-BNW

**STIPULATION AND  
ORDER BETWEEN CARMEL CANYON  
HOMEOWNERS ASSOCIATION AND  
THE BANK OF NEW YORK MELLON TO  
EXTEND BRIEFING DEADLINES ON  
THE HOA'S PARTIAL MOTION TO  
DISMISS PLAINTIFF'S SECOND &  
THIRD CAUSES OF ACTION**

**(FIRST REQUEST)**

Defendant CARMEL CANYON HOMEOWNERS ASSOCIATION ("HOA") and  
Plaintiff THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK  
SUCCESSOR TRUSTEE TO JPMORGAN CHASE BANK, N.A. AS TRUSTEE FOR  
THE HOLDERS OF BEAR STEARNS ALT-A TRUST 2006-1, MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2006-1's ("Plaintiff") hereby stipulate and agree  
as follows:

1. On November 6, 2019, the HOA filed a Partial Motion to Dismiss Plaintiff's Second and Third Causes of Action [Dkt. No. 40] ("Motion").

2. Responses to the Motion are presently due on November 20, 2019.

3. The HOA's reply is due on December 4, 2019.

4. The parties wish to attempt settlement discussions and desire to avoid expending unnecessary attorneys' fees and costs during settlement discussions. Thus, the parties desire to extend the briefing deadlines by two (2) weeks on the HOA's pending Motion to facilitate settlement discussions.

IT IS HEREBY AGREED AND STIPULATED, that in order to facilitate settlement discussions, the time for Plaintiff to file its response to the HOA's Motion should be continued from November 20, 2019 to December 4, 2019.

IT IS FURTHER STIPULATED AND AGREED that the HOA will have up to and including January 18, 2020, in which to file its reply brief. This request is made in good faith and not for purposes of delay.

DATED this 20<sup>th</sup> day of November, 2019.

LIPSON NEILSON P.C.

/s/ Amber M. Williams

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DATED this 20<sup>th</sup> day of November, 2019.

AKERMAN LLP

/s/ Scott R. Lachman

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**ORDER**

IT IS SO ORDERED.

DATED: November 20, 2019.

  
UNITED STATES DISTRICT COURT JUDGE